

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 CIAE-00 DODE-00 PM-04 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
NSCE-00 SSO-00 USIE-00 INRE-00 IO-13 ACDA-07 DHA-02
ORM-02 /076 W

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O R 221615Z FEB 77

FM AMEMBASSY BERLIN

TO SECSTATE WASHDC IMMEDIATE 4147

INFO AMEMBASSY BELGRADE

AMEMBASSY BONN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY WARSAW

USMISSION USBERLIN UNN

USMISSION NATO

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL FRANKFURT

AMCONSUL HAMBURG

AMCONSUL MUNICH

AMCONSUL STUTTGART

C O N F I D E N T I A L SECTION 1 OF 2 BERLIN 5349

E O 11652: GDS

TAGS: PFOR, PGOV, GE, GW

SUBJ: FRG REPLIES TO GDR AIDE MEMOIRE; FRG PERMREP'S INITIAL
THOUGHTS ON HONECKER'S INTERVIEW

REF: A) BERLIN 5326; B) BONN 2673 (NOTAL)

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1. THE ATMOSPHERE OF THE THREE-QUARTER HOUR MEETING
FEBRUARY 18 DURING WHICH FRG PERMREP CHIEF GAUS GAVE
DEPUTY FOREIGN MINISTER NIER BONN'S REPLY TO THE
JANUARY 27 GDR AIDE MEMOIRE WAS "BUSINESS-LIKE", ACCORDING
TO PERMREP DEPUTY CHIEF BRAUTIGAM, WHO BRIEFED HIS
FRENCH, BRITISH AND US COLLEAGUES FEBRUARY 21. AS

BRAUTIGAM HAD SUGGESTED EARLIER (REFTEL A), THE FRG AIDE MEMOIRE REJECTED ALL THE GDR CHARGES. BRAUTIGAM SAID THE FRG NOTE WAS MODERATE IN TONE, RELYING ON FORMAL LEGAL ARGUMENTS. ONE OF THE REASONS FOR THIS APPROACH, ACCORDING TO BRAUTIGAM, WAS THE FRG'S DESIRE TO DEESCALATE INNER-GERMAN TENSIONS AS MUCH AS POSSIBLE, BRAUTIGAM MADE AVAILABLE COPIES OF BOTH AIDES MEMOIRE; THE EMBASSY IS POUCHING TEXT OF FRG REPLY TO APPROPRIATE ADDRESSES (REFTEL B). FOR THIS REASON THIS MESSAGE DOES NOT GO INTO THE DETAILS OF THE FRG WRITTEN REPLY.

2. AFTER GAUS MADE HIS PRESENTATION, NIER REPLIED THAT THE FRG AIDE MEMOIRE WAS UNSATISFACTORY. (NEUES DEUTSCHLAND OF FEBRUARY 19 TERMED IT "COMPLETELY UNSATISFACTORY" AND BRAUTIGAM AGREED THIS MIGHT ACTUALLY HAVE BEEN NIER'S WORDS TO GAUS, ALTHOUGH BRAUTIGAM HIMSELF WAS NOT PRESENT.) NIER RESERVED THE RIGHT TO REPLY AT AN APPROPRIATE TIME TO SOME OF THE POINTS IN THE FRG NOTE. ACCORDING TO BRAUTIGAM NIER THEN REPEATED STANDARD GDR POSITIONS ON THE ISSUES, ADDING NO NEW ELEMENT. NIER DID, HOWEVER, STATE THAT WHILE THERE WAS NO GDR HINDRANCE OF PERMREP ACTIVITIES WHATEVER WHAT THE GDR DID OUTSIDE THE "EXTRATERRITORIAL LIMITS" OF THE PERMREP WAS NONE OF THE FRG'S BUSINESS.

3. NIER RAISED THE WEINHOLD CASE, ASSERTING THE GDR HAD A RIGHT UNDER INTERNATIONAL LAW TO HAVE HIM RETURNED TO THE GDR. NIER CLAIMED THAT THE GDR HAD IN THE PAST EXTRADITED PEOPLE TO THE FRG, AT BONN'S REQUEST. BRAUTIGAM ACKNOWLEDGED THIS WAS SO IN A FEW CONFIDENTIAL

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INSTANCES, ALTHOUGH THERE HAD BEEN NO RECENT CASES.

4. GAUS THEN CHANGED THE CONVERSATION TO ANOTHER SUBJECT, RAISING ORALLY THE MATTER OF "INTERVENTIONS" IN URGENT FAMILY REUNIFICATION CASES (REFTEL A) INVOLVING GDR CITIZENS WHOSE APPLICATIONS HAD BEEN REJECTED BY THEIR OWN AUTHORITIES. GAUS ACKNOWLEDGE THE FRG DOES NOT DOUBT THE GDR'S RIGHT TO MAKE DECISIONS IN SUCH CASES. GAUS QUESTIONED, HOWEVER, WHY THE GDR WAS CHANGING A PRACTICE THAT HAD SEEMED TO WORK WELL FOR 2 1/2 YEARS. HE ADDED THAT IF THIS NEW RESTRICTION WERE CONTINUED, IT WOULD FURTHER BURDEN RELATIONS, IN PART BECAUSE BUNDESTAG MEMBERS WRITE THE GOVERNMENT ON SUCH CASES. IF THIS NEW RESTRICTION SHOULD BECOME KNOWN, IT COULD ONLY ADD TO PUBLIC CONTROVERSY IN THE FRG. NIER RESPONDED, SAYING THE GDR PRACTICE HAD BEEN BASED ON ITS WILLINGNESS TO COOPERATE AND NOT ON ANY TREATY OBLIGATION. IT WAS THEREFORE UP TO THE GDR TO DECIDE ITS OWN PRACTICE IN SUCH MATTERS. BRAUTIGAM TOLD US THE PERMREP WOULD PRESENT

ANOTHER LIST, PROBABLY THIS WEEK.

5. NIER CONCLUDED THIS PART OF THE DISCUSSION BY NOTING THAT THE SOLUTION OF CERTAIN PRACTICAL QUESTIONS BETWEEN THE GDR AND FRG DEPENDS ON THE GENERAL DEGREE OF NORMALCY AND THE STATE OF RELATIONS ALREADY ACHIEVED BY THE TWO COUNTRIES. BRAUTIGAM SAID THE PERMREP WAS NOT AT ALL CERTAIN HOW TO INTERPRET NIER'S REMARK.

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6. NIER ALSO MENTIONED THAT UNHINDERED ACCESS BETWEEN THE FRG AND THE GDR WAS BEING PUT IN DANGER BY THE ACTIVITIES OF REFUGEE ASSISTANCE ORGANIZATIONS.

BRAUTIGAM WAS NOT INCLINED TO TAKE THIS AS ANY IMMEDIATE THREAT, NOTING THAT THE EAST GERMANS IN THE PAST, ALTHOUGHT NOT RECENTLY, HAD MADE SIMILAR STATEMENTS.
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7. GAUS CONCLUDED HIS SESSION WITH NIER BY EXPRESSING THE HOPE THAT RELATIONS BETWEEN FRG AND THE GDR WOULD BE DETERMINED BY "REASON", USING A PHRASE FROM A RECENT STATEMENT BY HONECKER.

8. IN THE BRIEF DISCUSSION THAT FOLLOWED BRAUTIGAM'S PRESENTATION, THERE SEEMED TO BE A GENERAL FEELING THAT THE EAST GERMANS WOULD NOT RESPOND WITH ANOTHER ROUND OF NOTES AND THAT EAST BERLIN MIGHT BE WILLING TO LET TENSIONS EASE A BIT. BRAUTIGAM NOTED IN THIS CONNECTION THAT THE LEIPZIG FAIR WAS LESS THAN A MONTH AWAY AND THE EAST GERMANS MIGHT NOT WANT TO JEOPARDIZE THE POSSIBILITY OF ECONOMIC DEALS AT THE FAIR BY A HEIGHTENED PUBLIC ACRIMONY. AT THE SAME TIME, BRAUTIGAM SAW LITTLE IMMEDIATE POSSIBILITY FOR ANY FUTURE MOVEMENT IN INNER GERMAN RELATIONS.

9. BRAUTIGAM ALSO GAVE HIS VERY TENTATIVE IMPRESSIONS OF THE HONECKER INTERVIEW TO THE SAARBRUECKEN ZEITUNG WHICH HE SAID WOULD REQUIRE VERY CAREFUL CONSIDERATION AND ANALYSIS IN BONN. HE THOUGHT THE INTERVIEW, THE REQUEST FOR WHICH HAD BEEN MADE SOME TIME AGO AND THE SPECIFIC DATE FOR WHICH HAD BEEN SET EARLY THIS MONTH, WAS MODERATE IN TONE AND WITHOUT ANY DIRECT ATTACK ON THE FRG WITH THE EXCEPTION OF HONECKER'S REFERENCE TO THE "SCHIESSBEFEHL". HONECKER HAD EXPRESSED A READINESS FOR GENERAL DISCUSSIONS ON FUTURE NORMALIZATION, BUT GAVE NO SIGN OF FLEXIBILITY ON QUESTION OF SUBSTANCE. IT WAS HIS INITIAL ASSESSMENT THAT THE GDR WOULD BE EXPECTING THE FRG TO COME UP WITH SOME NEW PROPOSALS. BRAUTIGAM ALSO EXPRESSED SOME DOUBT WHETHER THE INTERVIEW WOULD RECEIVE SUFFICIENT SERIOUS ATTENTION IN BONN.POLANSKY

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